

MINUTES
UTAH CONTROLLED SUBSTANCE PRECURSOR BOARD
AUGUST 3, 2001 - 9:00 A.M.
Room 4B – Fourth Floor - Heber Wells Bldg.
160 East 300 South
Salt Lake City, Utah

CONVENED: 9:00 A.M.

ADJOURNED: 9:50 A.M.

PRESENT:

Clyde Ormond, Bureau Manager
Darlene Congrove, Acting Board Secretary
Board Members:
Dennis Tenney

ABSENT:

Roy Hadley John Rivera

GUESTS:

Lynette Wingert, Drug Enforcement Agency (DEA); Scott
Barnett, Dept of Pubic Safety (DPS)

TOPICS FOR DISCUSSION:

DECISIONS AND RECOMMENDATIONS:

DISCUSSION ITEMS:

Sale of Controlled Substance Precursors
On the Internet

It was determined that this is regulated by a federal statute and is not a state issue. Ms. Cheryl Luke, Assistant Attorney General, is researching the matter and will report her findings at the next meeting.

Mr. Ormond stated the Controlled Substance Precursor Act, 58-37c, Utah Code Annotated gives us the authority to regulate this within the state as follows. 58-37c-3 (8) states "If a person within the state is purchasing the precursor from an out of state company, the purchaser must be licensed as Controlled Substance Precursor Purchaser." 58-37c-3 (7) states "If a person out of state buys a precursor from a company within the state, the company within the state must be licensed as a Controlled Substance Precursor Distributor."

Therefore, the statute does not need to be strengthened regarding regulating this as it is more of an enforcement issue.

Legislative Issues

Mr. Ormond stated the Controlled Substance Precursor statute appears to be fine in Utah. Mr. Barnett stated the Dept. of Public Safety would be interested in changing the statute to include the regulation of Hypophosphorous as a controlled substance precursor.

Ms. Wingert informed the Board that, as of October 17, 2001, the Federal Drug Administration (FDA) will change their statute to change the threshold amount of Ephedrine from 12 grams to 9 grams. Mr. Barnett stated he would follow up on getting the state statute changed to coincide with this change in the federal requirement.

Ms. Wingert agreed to bring copies of controlled substance precursor laws to the next meeting for the Board to review.

Dietary Supplements

Mr. Ormond referred to 58-37c-8 (5) of the statute which clarifys that pseudoephedrine, salts, isomers or salts of isomers are not considered naturally occurring precursors. Therefore, those people selling or purchasing them must be licensed to do so

Communication

Communications between DEA, DPS and DOPL needs to be improved so that issues of concern can be easily resolved and all agencies are working toward the same goals. Failing to communicate can cause unnecessary problems and defeat what is trying to be accomplished.

Drug Website

It was noted there is an Internet site at www.stopdrugstop.org regarding the illegal use of drugs that is very informative.

NEXT MEETING:

January 23, 2001

DATE APPROVED

CHAIRPERSON, UTAH CONTROLLED
SUBSTANCE PRECURSOR BOARD

DATE APPROVED

BUREAU MANAGER, DIVISION OF
OCCUPATIONAL & PROFESSIONAL
LICENSING